UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	**CRIMINAL NO. 09-023**
v.	*	**SECTION: "K"(3)**
JACQUELINE FOREMAN-POTTINGER	*	**VIOLATION: 18 U.S.C. §641**

* * *

FACTUAL BASIS

Should this matter have gone to trial, the Government would have proved beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible exhibits including the testimony of agents from the Office of Inspector General, Housing and Urban Development, special agents of the Federal Bureau of Investigation ("FBI"), and others, the following facts to support the allegations charged by the United States Attorney in the Bill of Information now pending against the defendant, **JACQUELINE FOREMAN POTTINGER**.

Competent testimony and admissible exhibits would be introduced to show that the defendant, **JACQUELINE FOREMAN-POTTINGER**, owned a home and was a full time resident at 247 Phosphor Street in Metairie, Louisiana on August 29, 2005. Public records and other documents would be introduced to prove that on August 29, 2005, the defendant paid utilities, claimed homestead tax exemptions, and otherwise resided at 247 Phosphor Street in Metairie.

Competent testimony and admissible exhibits would be introduced to show that the defendant, **JACQUELINE FOREMAN POTTINGER**, owned a two-family duplex at 612/614 Florida Blvd. in New Orleans, Louisiana, which she rented to individuals R.W. and J.D. Testimony and admissible exhibits would be introduced to prove that R.W. and J.D. were the full-time, primary residents of the two apartments located at 612/614 Florida Blvd. Exhibits and government records would be introduced supporting these assertions.

Competent testimony and admissible exhibits would be introduced to prove that the United States Department of Housing and Urban Development ("HUD"), is an agency of the United States of America. Further testimony and exhibits would show that pursuant to an act of the Congress of the United States of America with the concurrence and agreement of the President of the United States, money and funds belonging to the United States were appropriated to HUD for a Community Development Block Grant ("Grant") for Louisiana hurricane victims. The purpose of the Grant was to assist and aid homeowners who lived in property damaged or destroyed by Hurricanes Katrina and Rita in August and September of 2005.

Exhibits and testimony would be presented to show that Grant money was disbursed under a program known as the Louisiana Road Home Program ("Road Home"). Further evidence would prove that HUD prepared the rules and regulations governing the disbursement of grant money through the State of Louisiana and that the State of Louisiana, through the Office of Community Development, Division of Administration, contracted with ICF International, Inc. to administer the Road Home. Testimony and evidence would be presented to prove that HUD maintained oversight and investigational authority over all disbursements of Grant money through the Road Home. Further testimony and exhibits would show that among the requirements for receiving Grant money

from the Road Home was that the damaged property be the primary residence of the applicant on August 29, 2005.

Competent testimony and admissible exhibits would be introduced to show that on September 5, 2006, the defendant, **JACQUELINE FOREMAN-POTTINGER**, applied for a Road Home Grant for 612/614 Florida Blvd. Further testimony and exhibits would be introduced to prove that in the course of this application **JACQUELINE FOREMAN-POTTINGER** falsely represented to Road Home that 612/614 Florida Blvd. was her primary residence, while knowing that she, in fact, resided at 247 Phosphor Avenue, a home that did not sustain qualifying damage during the storms of 2005.

Competent testimony and admissible exhibits would be introduced to prove that on April 20, 2007, the defendant, **JACQUELINE FOREMAN-POTTINGER**, attended the closing for her Road Home grant. Exhibits would be introduced proving that on April 20, 2007 **JACQUELINE FOREMAN-POTTINGER** fraudulently received and permanently deprived $148,078.80 from Road Home, money that was provided by the government of the United States, through HUD, and administered by the State of Louisiana, through its designees.

READ AND APPROVED:

Franz Zibilich (Date)
Counsel for JACQUELINE FOREMAN-POTTINGER

JACQUELINE FOREMAN-POTTINGER (Date)
Defendant

3/4/09
DANIEL P. FRIEL (Date)
Assistant U.S. Attorney